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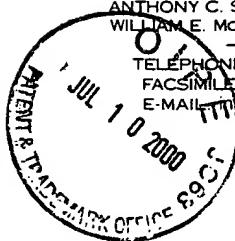
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July 6, 2000

VIA FACSIMILE

Dr. Jahangir S. Rastegar
OmniTek Research and Development Inc.
c/o State University of New York at Stonk Brook
Department of Mechanical Engineering, Z-2300
Stony Brook, New York 11794-3368

Re: Jahangir S. Rastegar
U.S. Patent Appln. No. 09/517,434
"APPARATUS FOR ISOLATION OF PAYLOADS
WITH LOW TRANSMISSIBILITY"
Our Docket: 13285

Dear Dr. Rastegar:

We have now completed our investigation into the inventorship of the above-identified application. This application lists Dr. Ronald Rothchild, Dr. Farshad Khorrami and Dr. Jahangir Rastegar as joint inventors. As you know, Dr. Rothchild has called the inventorship of this application into question. After reviewing the application, Dr. Rothchild has alleged that he is the sole inventor of the subject matter claimed therein.

Dr. Rothchild has refused to participate in this investigation¹, thus, our opinion is based solely on interviews with the remaining two inventors. The interviews were conducted at the office of Omnitek in which Dr. Khorrami and Dr. Rastegar were interviewed separately. Based on these interviews we conclude that Dr. Khorrami and Dr. Rastegar are appropriately

¹ See attached letter from Robert Van Grover to Dr. Rothchild. As of this date, Dr. Rothchild has not contacted us to participate in this investigation.

listed as joint inventors along with Dr. Rothchild on the above-identified application.

Two or more inventors are referred to as joint or co-inventors. 35 U.S.C. § 116 provides for such joint inventorship. To be a joint inventor, an individual must make a contribution to the conception of the claimed invention that is not insignificant in quality, when that contribution is measured against the dimension of the full invention. Fina Oil & Chemical Co. v. Ewen, 123 F.3d 1466, 1473 (Fed. Cir. 1997).

During the interviews, the following facts were determined. Dr. Rothchild was already employed by Omnitek on different projects when an Air Force SBIR Solicitation was released for isolation of payloads for rockets and launch vehicles. Dr. Rothchild proposed the idea of using mats having a non-linear spring rate response for payload isolation. Dr. Rothchild had prior knowledge of these types of mats for use in shoe soles and automobile bumpers.

While developing this idea, all three inventors recognized the problem of tilting. That is, under the support of the mat, the payload exhibited an undesirable tilting with regard to a base structure from which the payload is connected. Dr. Khorrami suggested the use of a mechanism to maintain a parallel relationship between the payload and the base structure, such as a parallelogram linkage. Dr. Rastegar further developed and refined the different types of linkages used, with the exception of the scissors linkage (having a similar configuration to two scissor jacks for an automobile connected by common links, as illustrated in Figures 8a and 8b of the application) and the use of a damping element built into a common link of the linkages which were conceived by Dr. Rothchild.

Dr. Rothchild was then given the responsibility of designing and developing the combination mat/linkage apparatus. During this development, Dr. Rothchild had the idea of making the amount of support from the mat adjustable which he noticed in the work of others in this area. Dr. Rothchild had the idea of using a movable ramp under the mat to vary the amount of support given by the mat. Dr. Rastegar further developed the concept of varying support for the payload by proposing to pressurize the cavities in the mat. Dr. Rothchild contributed by adding a feedback system which was responsive to a change in distance between the base and payload.

As the project was further developed, Dr. Rastegar and Dr. Khorrami came up with alternatives to the mat, such as a single elastomer tube which is coiled within a housing and having a channel which is pressurized (Dr. Rastegar) and an active damping system (Dr. Rastegar and Dr. Khorrami).

Based on these interviews it is apparent that each of Dr. Rothchild, Dr. Rastegar, and Dr. Khorrami contributed to at least one of the claimed inventions. Furthermore, each of their contributions are very significant when "measured against the dimension of the full invention". Thus, it is our opinion that both Dr. Khorrami and Dr. Rastegar are properly considered joint inventors under the Patent Laws of the United States. Therefore, it is our opinion that the above-identified patent application was properly filed in the names of Dr. Rothchild, Dr. Rastegar, and Dr. Khorrami as joint inventors.

Sincerely,



Thomas Spinelli

TS:cm
Encl.